



PATENT  
Attorney Docket 054160-5060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tsuneji Suzuki *et al.*)  
Application No. 10/049,666 ) Group Art Unit: 1615  
Filed: February 15, 2002 ) Examiner: Gollamudi S. Kishore  
For: Pharmaceutical Agent Comprising a )  
Benzamide Derivative as Active Agent )

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop RCE  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**REQUEST FOR CONTINUED EXAMINATION (RCE)**

This is a request for continued examination (RCE) under 37 C.F.R. § 1.114 of U.S. Application 10/049,666 filed February 15, 2002, entitled Pharmaceutical Agent Comprising a Benzamide Derivative as Active Agent.

1. Please consider and enter the attached Amendment and Response Under 37 C.F.R. 1.114.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. If, however, Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED							10049666
	Remaining		Previously Paid	Extra	Rate	Total	Fees
Total Claims	10	minus	36	10 FC 18	\$50.00 each	0.00	0.00
Independent Claims	2	minus	3	0	\$200.00 each	0.00	0.00
First presentation of Multiple dependent claim					\$360.00	0.00	
Sub-total =							0.00
Reduction by ½ for filing by a small entity							0.00
Total Fee =							\$0.00

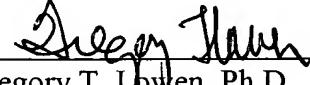
4. **Fee Payment:** The Commissioner is hereby authorized to charge **\$790.00** to Deposit Account No. 50-0310 for payment of the request for continued examination filing fee.
5. Please address all correspondence to:

**Customer Number: 009629**  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

6. **Constructive Petition:** **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Date: December 9, 2005  
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Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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